

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 6470**

**BILL NUMBER:** HB 1082

**DATE PREPARED:** Dec 7, 2000

**BILL AMENDED:**

**SUBJECT:** Alcohol and Drug Countermeasures Fee.

**FISCAL ANALYST:** Sherry Fontaine

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**FUNDS AFFECTED:**     **GENERAL**  
                          **X DEDICATED**  
                          **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires a person who is found to have committed the offense of: (1) operating a tractor-trailer combination or other vehicle recklessly that involved the use of alcohol or a controlled substance; or (2) public intoxication or intoxication upon a common carrier that involved the operation of a vehicle; to pay the \$200 Alcohol and Drug Countermeasures fee. The bill removes a provision that requires a person's driving privileges to be suspended by a court or the Bureau of Motor Vehicles before the person is required to pay the Alcohol and Drug Countermeasures fee.

**Effective Date:** July 1, 2001.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** This bill adds offenses for which the \$200 Alcohol and Drug Countermeasures Fee is to be collected. Consequently, revenue to the State User Fee Fund and county drug-free community funds should increase. According to the BMV, the number of convictions that occur under the additional offenses provided in the bill is not known.

Of the \$200 Alcohol and Drug Countermeasures fee, 25% is distributed by the court clerks to the State Auditor for deposit in the State User Fee Fund, and 75% is distributed to the county auditor for deposit in the county drug-free community fund.

*Background:* The additional offenses to the types of actions for which the \$200 Alcohol and Drug Countermeasures Fee is collected by the court clerk include the following: (1) operating a tractor-trailer combination or other vehicle recklessly under the influence of alcohol or a controlled substance; and (2) public intoxication or intoxication upon a common carrier that involved the operation of a vehicle.

Of the amounts deposited into the State User Fee Fund (described above), \$1,087,500 is distributed semi-

annually as follows:

- (1) 17.73% into the Alcohol and Drug Countermeasures Fund.
- (2) 9.97% into the Drug Interdiction Fund.
- (3) 5.54% into the Drug Prosecution Fund.
- (4) 6.65% into the Corrections Drug Abuse Fund.
- (5) 26.60% into the State Drug Free Communities Fund.
- (6) 9.45% to the Indiana Department of Transportation.
- (7) 24.06% in the Family Violence and Victim Assistance Fund.

The balance in the account is distributed to the Indiana Safe Schools Fund.

The county drug-free community fund is used to promote comprehensive local alcohol and drug abuse prevention initiatives by supplementing local funding for treatment, education, and criminal justice efforts.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** See Explanation of State Revenues above.

**State Agencies Affected:** Auditor

**Local Agencies Affected:** Local units that receive distributions from the State User Fee Fund and county drug-free community funds.

**Information Sources:** Bureau of Motor Vehicles.